



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Avi J. ASHKENAZI, et al..

Application Serial No. 10/017,085

Filed: October 24, 2001

For: **SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME**

) Examiner: Spector, Lorraine
)
) Art Unit: 1647
)
) Confirmation No: 4364
)
) Attorney's Docket No. 39780-2630 P1C73
)
) Customer No. 35489
)

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Date Mailed: JULY 20, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --


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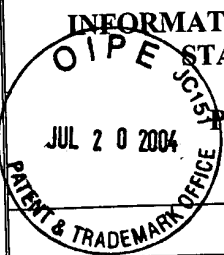
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; or
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2630 P1C73)**.

Respectfully submitted,

By: 
Anna L. Barry (Reg. No. 51,436)

Dated: July 20, 2004

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INFORMATION DISCLOSURE STATEMENT  PTO-1449		ATTY. DOCKET NO.: 39780-2630 P1C73		SERIAL NO.: 10/017,085			
		APPLICANT : Avi ASHKENAZI, et al.					
		FILING DATE: October 24, 2001		GROUP: 1647			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	GenBank, Accession No.: AX195176, WO 0151638-A, Pub Date: July 19, 2001, Yang, J. et al.						
	GenBank, Accession No.: P_AAF26578, WO 200076531-A1, Pub Date: Dec. 21, 2000, Rosen, C.A. et al.						
	GenBank, Accession No.: P_AAT19666, WO 9514772-A1, Pub Date: June 1, 1995, Matsubara, K. et al.						
	GenBank, Accession No.: P_AAA46932, WO 200037640-A2, Pub Date: June 29, 2000, Botstein, D. et al.						
	GenBank, Accession No.: P_AAX87266, WO 9935170-A2, Pub Date: July 15, 1999, Botstein, D. et al.						
	GenBank, Accession No.: P_AAD09938; WO 200151638-A2, Pub Date: July 19, 2001, Yang, J. et al.						
	GenBank, Accession No.: AX195174, WO 0151638-A, Pub Date: July 19, 2001, Yang, J. et al.						
	Dayhoff, Accession No.: P_AAE05172, WO 200151638-A2, Pub Date: July 19, 2001, Yang, J. et al.						
	Dayhoff, Accession No.: P_AAB60733, WO 200076531-A1, Pub Date: Dec. 21, 2000, Rosen, C.A. et al.						
	Dayhoff, Accession No.: P_AAY93696, WO 200037640-A2, Pub Date: June 29, 2000, Botstein, D. et al.						
	Dayhoff, Accession No.: P_AAB44271, WO 200053756-A2, Pub Date: September 14, 2000, Ashkenazi, A.J. et al.						
	Dayhoff, Accession No.: P_AAY06489, WO 9935170-A2, Pub Date: July 15, 1999, Botstein D. et al.						
	Dayhoff, Accession No.: P_AAY41715, WO 9946281-A2, Pub Date: September 16, 1999, Wood W.I. et al.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Hanna, J.S., et al., "HER-2/neu Breat Cancer Predictive Testing", Oathology Associates Medical Laboratores, August (1999).
	Hyman, Elizabeth, et al., "Impact of DNA Amplification on Gene Expression Patterns in Breast Cancer ^{1,2} ", <i>Cancer Research</i> 62 6240-6245, November (2002).
	Orntoft, Torben F., et al., "Genome-wide Study of Gene Copy Numbers, Transcripts, and Protein Levels in Pairs of Non-Invasive and Invasive Human Transitional Cell Carcinomas", <i>Molecular & Cellular Proteomics</i> 1:37-45, (2002).
	Pollack, Jonathan R., et al., "Microarray analysis reveals a major direct role of DNA copy number alteration in the transcriptional program of human breast tumors", <i>PNAS</i> Vol.99, 20:12963-12968, October (2002).

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